

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: May et al.
 SERIAL NO: 09/230,623
 FILED: January 28, 1999
 INVENTION: "MULTI-LAYERED CANNED PET FOOD"

PATENT DOCKET NO.: P98,3235
 GROUP ART UNIT: Unknown
 EXAMINER: Unknown

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Assistant Commissioner for Patents
 Washington, D.C. 20231

S I R:

Submitted herewith is an Supplemental Information Disclosure Statement for consideration in the above-identified application. This Supplemental Information Disclosure Statement is submitted:

- ☒ Within three months (1) of filing date of a national application; (2) of date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; or (3) before the mailing date of a first Office Action on the merits, whichever occurs last. (No fee is required.)
- ☐ After the mailing date of a first Office Action but before (1) mailing of a final action under 37 C.F.R. §1.113; or (2) mailing of a notice of allowance under §1.311, whichever occurs first.
- ☐ Payment of the fee set forth in 37 C.F.R. §1.17(p) accompanies this submission; or
- ☐ The certification specified in 37 C.F.R. §1.97(e) is made below. (No fee is required.)
- ☐ After the mailing of (1) a final action under 37 C.F.R. §1.113; or (2) notice of allowance under 37 C.F.R. §1.311 whichever occurs first, but before payment of the issue fee. The certification specified in 37 C.F.R. §1.97(e) is made below. The Commissioner hereby is petitioned to consider the Information Disclosure Statement accompanying this submission. Payment for the Petition fee set forth in 37 C.F.R. §1.17(i)(1) accompanies this submission.
- ☐ The undersigned counsel for applicant(s) hereby certifies each item of information identified in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ The undersigned counsel for applicant(s) hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of the statement.
- ☐ A check in the amount of \$_____ to cover any required fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 08-2290. A duplicate copy of this sheet is enclosed for this purpose.

Very respectfully,

HILL & SIMPSON
 A Professional Corporation

(Reg. No. 30,142)

When phoning re this application, please call (312) 876-0200.

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 Telephone: (312) 876-0200

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C 20231 March 5, 1999.

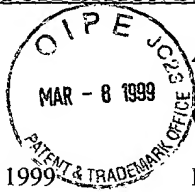
ROBERT M. BARRETT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Assistant Commissioner for Patents

Washington, D.C. 20231

S I R:

In accordance with the provisions of 37 C.F.R. 1.56, Applicants request that citation and examination of the documents identified on the attached PTO-1449 form, copies of which are enclosed herewith in accordance with 37 C.F.R. 1.98, be made during the course of examination of the above-mentioned application for United States Patent.

DOCUMENTS

Cat Foods & Goods Guide 1992 Pet Supplies Guide, Cat Edition.

Cat Foods & Goods Guide 1994 Pet Supplies Guide, Cat Edition.

REMARKS

Applicants believe that a translation of the documents is as follows:

Document No. 1

In page 39, the bottommost paragraph of "Cat Foods & Goods Guide '92 Pet Supplies, Cat Edition" by Sankei Newspaper Data System Marketing Department (Publishing Office), there are photographs of cans regarding to three kinds of three-layered cans for cats, 1) "Chef Shu

Shu (Tuna)", 2) "Chef Shu Shu (Tuna and White Meat)", and 3) "Chef Shu Shu (Tuna and Crab), and further, there are the following descriptions about the contents of each of the commodities.

1) "Chef Shu Shu (Tuna)"

"A single serve can excellent in taste and balance of nutrition, which is structured such that a chunk of a bluefin is dished up on two layers comprising a flesh meat of bloody color of a fresh bluefin or an oceanic bonito containing a taurine and vitamin necessary for a cat and a whity meat and they are surrounded by a jelly. Since it is constituted by a aluminum pull top can, it is simple and convenient."

2) "Chef Shu Shu (Tuna and White Meat)"

"A single serve can excellent in taste and balance of nutrition, which is structured such that a white mean is dished up on two layers comprising a flesh meat of bloody color of a fresh bluefin or an oceanic bonito containing a taurine and vitamin necessary for a cat and a whity meat and they are surrounded by a jelly. Since it is constituted by a aluminum pull top can, it is simple and convenient."

3) "Chef Shu Shu (Tuna and Crab)"

"A single serve can excellent in taste and balance of nutrition, which is structured such that a crab is dished up on two layers comprising a flesh meat of bloody color of a fresh bluefin or an oceanic bonito containing a taurine and vitamin necessary for a cat and a whity meat and they are surrounded by a jelly. Since it is constituted by a aluminum pull top can, it is simple and convenient."

Document No. 2

In page 47, right column, the bottommost paragraph and the upper paragraph thereof, and page 48, left column, the uppermost paragraph of "Cat Foods & Goods Guide '94 Pet Supplies

Guide, Cat Edition" by Sankei Newspaper Data System Marketing Department (Publishing Office), there are photographs of cans regarding to three kinds of three-layered cans for cats, 1) "Black Can Shu Shu (Tuna)", 2) "Black Can Shu Shu (Containing White Meat/Tuna)" and 3) "Black Can Shu Shu (Containing Crab/Tuna), and further, there are the following descriptions about the contents of each of the canned provisions.

1) "Black Can Shu Shu Chef (Tuna)"

"A single serve can excellent in taste and balance of nutrition, which is structured such that a chunk of a bluefin is dished up on two layers comprising a flesh meat of bloody color of a fresh bluefin or an oceanic bonito containing a taurine and vitamin necessary for a cat and a whity meat and they are surrounded by a jelly. An oligosaccharide having an excellent deodorant effect and an effect for intestinal disorders is also included. Since it is constituted by a aluminum pull top can, it is simple and convenient."

2) "Black Can Shu Shu (Containing White Meat/Tuna)"

"A single serve can excellent in taste and balance of nutrition, which is structured such that a white meat is dished up on two layers comprising a flesh meat of bloody color of a fresh bluefin or an oceanic bonito containing taurine and vitamin necessary for a cat and a whity meat and they are surrounded by a jelly. An oligosaccharide having an excellent deodorant effect and an effect for intestinal disorders is also included. Since it is constituted by a aluminum pull top can, it is simple and convenient."

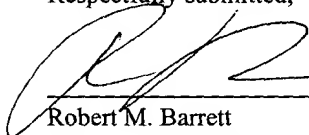
3) "Black Can Shu Shu (Containing Crab/Tuna)"

"A single serve can excellent in taste and balance of nutrition, which is structured such that a crab is dished up on two layers comprising a flesh meat of bloody color of a fresh bluefin or an oceanic bonito containing a taurine and vitamin necessary for a cat and a whity meat and

they are surrounded by a jelly. An oligosaccharide having an excellent deodorant effect and an effect for intestinal disorders is also included. Since it is constituted by a aluminum pull top can, it is simple and convenient."

Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,



(Reg. No. 30,142)

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ATTORNEY FOR APPLICANTS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service, First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on **March 5, 1999**.

